



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application Howard N. Cannon et al. )  
Application No. 60/258,177 )  
Filed: December 22, 2000 )  
For: OPERATOR INTERFACE SYSTEM )  
Attorney Docket No. 00-351 )

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Peoria, Illinois 61629-6490

November 20, 2001

Assistant Commissioner for Patents  
Washington, D.C. 20231

REQUEST FOR CORRECTION OF FILING DATE

(A conversion under 37 C.F.R. § 1.53(c)(3) was improperly recorded as a New Application  
Claiming Benefit of the Provisional Application)

Sir:

In response to the Filing Receipt dated November 8, 2001, please provide a  
filing receipt for the above identified application having, corrections as follows:

1. The original filing date (December 22, 2000) of the Provisional Application  
No. 60/258,177 should be maintained for this file. (The Provisional Patent Application was  
converted, as opposed to claiming benefit.)

2. Domestic Priority data as claimed by applicant

THIS APPLN IS A CONVERSION OF 60/258,177 12/22/2000.

REMARKS

The following is a quotation of 37 CFR 1.53 (c) (3): "A provisional  
application filed under paragraph (c) of this section may be converted to a non-provisional  
application filed under paragraph (b) of this section and accorded the original filing date of  
the original application. The conversion of a provisional application to a non-provisional

application will not result in either the refund of any application fee properly paid in the provisional application or the application of any such fee to the filing fee, or any other fee for the non-provisional application. A request to convert a provisional application to a non-provisional application must be accompanied by the fee set forth in § 1.17(i) and an amendment including at least one claim as prescribed by the second paragraph of 35 U.S.C. 112, unless the provisional application under paragraph (c) of this section otherwise contains at least one claim as prescribed by the second paragraph of 35 U.S.C. 112."

Attached are photocopies of the following supplemental information relating to the original request for conversion of a provisional application to a non-provisional application:

1. REQUEST FOR CONVERSION OF PROVISIONAL TO NON-PROVISIONAL APPLICATION dated October 8, 2001
2. FILING RECEIPT dated November 8, 2001 (with requested changes indicated thereon)
3. TRANSMITTAL form submitted with request under 37 CFR 1.53(c) dated October 9, 2001
4. FEE TRANSMITTAL dated October 9, 2001

Respectfully submitted,

  
\_\_\_\_\_  
James R. Smith  
Reg. No. 41,318  
Caterpillar Inc.

Telephone: (309) 636-1569  
Facsimile: (309) 675-1236  
hjf

Enclosures



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
O 1 09/973,266	10/09/2001	3682	932	00-351	4	26 ✓	4 ✓
				12/22/2000	<b>RECEIVED</b> <b>PATENT DEPT.</b> <b>NOV 16 2001</b> <b>CATERPILLAR INC.</b>		
<b>CONFIRMATION NO. 6180</b> <b>FILING RECEIPT</b>  *OC000000007046529*							

JAN 09 2002  
 PATENT & TRADEMARK OFFICE  
 James R. Smith  
 Caterpillar Inc.  
 Intellectual Property Department  
 100 N.E. Adams Street, AB6490  
 Peoria, IL 61629-6490

Date Mailed: 11/08/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

**Applicant(s)**

- ✓ Howard N. Cannon, San Jose, CA;
- ✓ Michael G. Cronin, Peoria, IL;
- ✓ Michael F. Hopkins, Batavia, IL;
- ✓ Igor Strashny, Peoria, IL;

**Domestic Priority data as claimed by applicant**

THIS APPLN CLAIMS BENEFIT OF 60/258,177 12/22/2000

**Foreign Applications****If Required, Foreign Filing License Granted 11/08/2001****Projected Publication Date: 06/27/2002****Non-Publication Request: No****Early Publication Request: No****Title**

- ✓ Operator interface system

**Preliminary Class**

074

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related application(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



Please type a plus sign (+) inside this box +

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	(Unassigned)
Filing Date	12/22/2000
First Named Inventor	Howard N. Cannon ET AL.
Group Art Unit	(Unassigned)
Examiner Name	(Unassigned)
Attorney Docket Number	00-351

## ENCLOSURES (check all that apply)

- Fee Transmittal Form
- Fee Attached
- Amendment / Reply
  - After Final
  - Affidavits/declaration(s)
- Extension of Time Request
- Express Abandonment Request
- Information Disclosure Statement
- Certified Copy of Priority Document(s)
- Response to Missing Parts/ Incomplete Application
- Response to Missing Parts under 37 CFR 1.52 or 1.53

- Assignment Papers (for an Application)
- Drawing(s)
- Licensing-related Papers
- Petition
- Petition to Convert to a Provisional Application
- Power of Attorney, Revocation Change of Correspondence Address
- Terminal Disclaimer
- Request for Refund
- CD, Number of CD(s) \_\_\_\_\_

- After Allowance Communication to Group
- Appeal Communication to Board of Appeals and Interferences
- Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- Proprietary Information
- Status Letter
- Other Enclosure(s) (please identify below):
  - Declaration
  - Acknowledgement Postcard
  - Request/Petition Under CFR 1.53 (c)

### Remarks

This is a request to convert provisional application Serial No. 60/258,177 filed 12/22/2000, to a non-provisional application.

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name

James R. Smith, Registration No. 41,318

Signature

Date

October 9, 2001

## U.S. POSTAL EXPRESS-MAILING LABEL NO. EL74441456US

This correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service addressed to the Assistant Commissioner for Patents, Washington, DC 20231 on this date:

10/09/2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



*Receipt*

Please type a plus sign (+) inside this box +

PTO/SB/21 (08-00)

Approved for use through 10/31/2002, OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number 60/258,177

Filing Date 12/22/2000

First Named Inventor Howard N. Cannon ET AL.

Group Art Unit 3682

Examiner Name \_\_\_\_\_

Attorney Docket Number 00-351

### ENCLOSURES (check all that apply)

- Fee Transmittal Form
- Fee Attached
- Amendment / Reply
- After Final
- Affidavits/declaration(s)
- Extension of Time Request
- Express Abandonment Request
- Information Disclosure Statement
- Certified Copy of Priority Document(s)
- Response to Missing Parts/ Incomplete Application
- Response to Missing Parts under 37 CFR 1.52 or 1.53

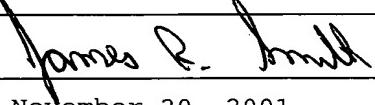
- Assignment Papers (for an Application)
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- Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- Proprietary Information
- Status Letter
- Other Enclosure(s) (please identify below):  
**REQUEST FOR CORRECTION OF FILING DATE \***

Remarks

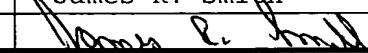
\* (A conversion under 37 CFR 153 (c) (3) was improperly recorded as a New Application Claiming Benefit of the Provisional Application)

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	James R. Smith, Registration No. 41,318	
Signature		
Date	November 20, 2001	

### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope address to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: 11/20/2001

Typed or printed name	James R. Smith
Signature	
Date	11/20/01

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PATENT APPLICATION

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In re Application Howard N. Cannon et al. )  
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Filed: December 22, 2000 )  
For: OPERATOR INTERFACE SYSTEM )  
Attorney Docket No. 00-351L )  
\_\_\_\_\_  
)

Peoria, Illinois 61629-6490

October 8, 2001

Assistant Commissioner for Patents  
Washington, D.C. 20231

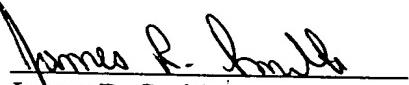
REQUEST FOR CONVERSION OF PROVISIONAL  
TO NON-PROVISIONAL APPLICATION  
(37 C.F.R. § 1.53(c)(3))

Sir:

Please convert the above identified provisional application filed to a non-provisional application under 37 C.F.R. § 1.53(c)(3).

A Declaration executed by the inventor is enclosed.

Respectfully submitted,

  
James R. Smith  
Reg. No. 41,318  
Caterpillar Inc.

Telephone: (309) 636-1569  
Facsimile: (309) 675-1236



PTO/SB/17 (10-01)

Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$)  
1058

## Compl t if Known

Application Number	(Unassigned)
Filing Date	12/22/2000
First Named Inventor	Howard N. Cannon ET AL.
Examiner Name	(Unassigned)
Group Art Unit	(Unassigned)
Attorney Docket No.	00-351

## METHOD OF PAYMENT

- 1.
- 
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number  
03-1129

Deposit Account Name

Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

Applicant claims small entity status. See 37 CFR 1.27

2.  Payment Enclosed:

Check  Credit card  Money Order  Other

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101	740	Utility filing fee	740
106	330	Design filing fee	
107	510	Plant filing fee	
108	740	Reissue filing fee	
114	160	Provisional filing fee	

SUBTOTAL (1) (\$)  
740

## 2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
26	-20** =	6	108
Independent Claims 4	- 3** =	1	80
Multiple Dependent			

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103	18	Claims in excess of 20
102	84	Independent claims in excess of 3
104	280	Multiple dependent claim, if not paid
109	84	** Reissue independent claims over original patent
110	18	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)  
188

\*\*or number previously paid, if greater; For Reissues, see above

## 3. ADDITIONAL FEES

Fee Code	Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65 Surcharge - late filing fee or oath	
127	50	227	25 Surcharge - late provisional filing fee or cover sheet	
139	130	139	130 Non-English specification	
147	2,520	147	2,520 For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920* Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840* Requesting publication of SIR after Examiner action	
115	110	215	55 Extension for reply within first month	
116	400	216	200 Extension for reply within second month	
117	920	217	460 Extension for reply within third month	
118	1,440	218	720 Extension for reply within fourth month	
128	1,960	228	980 Extension for reply within fifth month	
119	320	219	160 Notice of Appeal	
120	320	220	160 Filing a brief in support of an appeal	
121	280	221	140 Request for oral hearing	
138	1,510	138	1,510 Petition to institute a public use proceeding	
140	110	240	55 Petition to revive - unavoidable	
141	1,280	241	640 Petition to revive - unintentional	
142	1,280	242	640 Utility issue fee (or reissue)	
143	460	243	230 Design issue fee	
144	620	244	310 Plant issue fee	
122	130	122	130 Petitions to the Commissioner	130
123	50	123	50 Processing fee under 37 CFR 1.17(q)	
126	180	126	180 Submission of Information Disclosure Stmt	
581	40	581	40 Recording each patent assignment per property (times number of properties)	
146	740	246	370 Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370 For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370 Request for Continued Examination (RCE)	
169	900	169	900 Request for expedited examination of a design application	
Other fee (specify)				

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)  
130

## SUBMITTED BY

Name (Print/Type)	James R. Smith	Registration No. (Attorney/Agent)	41,318	Telephone	(309) 636-1569
Signature	<i>James R. Smith</i>	Date	10/09/2001		

WARNING: Information in this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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